

Arkansas Development Finance Authority

HomeToOwn

ADFA'S MORTGAGE BOND PROGRAM

Arkansas Development Finance Authority

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EQUAL HOUSING
OPPORTUNITY

Effective 05/14/2010

ARKANSAS DEVELOPMENT FINANCE AUTHORITY

HomeToOwn PROGRAM

The Arkansas Development Finance Authority is pleased to offer the HomeToOwn Program that makes buying a first home easier for low-income and moderate-income families in Arkansas. The basic information provided here is not designed to be a complete program description. To make application or to obtain additional information, contact one of the participating lenders on the attached list.

THE FOLLOWING LOANS ARE ELIGIBLE IN THE PROGRAM

FHA Loans: 203(b), 203(b)/Vet, 234c, 203(k), 203(h), in applicable Areas. ADFA encourages the use of the FHA Energy-Saving Mortgage.

V.A. Guaranteed Loans: Guaranteed by the Department of Veterans Affairs.

Rural Development: Guaranteed Rural Housing Loans.

HomeToOwn PROGRAM

FIRST MORTGAGE

AVAILABILITY: Continuous Lending Program (Always available to participating Lenders)

INTEREST RATE: Please contact a participating lender or check our website at www.arkansas.gov/adfa for current rate.

ORIGINATION FEE: 1.00% of loan amount, collected at closing, payable to lender.

LOAN TERMS: 30 Years Only, NO PREPAYMENT PENALTY.

**SALES PRICE LIMITS &
INCOME LIMITS:** See SCHEDULE III for the County the property is located in along with the Income Limits.

DOWNPAYMENT: Fees, etc.: Follow FHA, VA, Rural Development or Fannie Mae guidelines.

SECOND MORTGAGE

ADFA has a **Downpayment Assistance Program (DPA)** for qualifying applicants of a first mortgage. The DPA ranges from \$1,000 to \$6,000 that can be used for down payment, closing costs and prepaid items. ADFA now allows the borrowers to receive “cash back” at closing for certain loan expenses paid by the borrowers up front. These expenses are earnest money, appraisal and credit report fees.

INTEREST RATE: Please contact a participating lender or check our website at www.arkansas.gov/adfa for current rate.

TERMS: 10 YEAR AMORTIZATION

ADFA requires the borrower to attend a Home Buyers Counseling Program where a Certificate will be issued on their behalf.

Both the first and second mortgages will be sold to the Master Servicer, who currently is US Bank Home Mortgage. The Master Servicer will issue one “payment statement ” so that each month the borrower can remit one check to cover the first and second mortgage. The second mortgage is **not** subject to Recapture, and there is no prepayment penalty.

FIRST-TIME HOME BUYER REGULATION

A first-time homebuyer is defined by federal regulation as someone who has **not** had an ownership interest in his or her principal residence at any time during the past three years. (A Mobile Home **not** permanently attached does not jeopardize first-time homebuyer status.) Borrowers must provide copy of latest Federal tax return and copies of the W-2 Forms. All home occupants over 18 years of age who are employed must also provide Federal Tax Returns and copies of the W-2 Forms. If unavailable, copies or transcripts may be obtained from the I.R.S. Home buyers purchasing a home in the Non-Targeted Counties must meet the first-time home buyer regulation.

In Targeted Areas, the home buyers purchasing a residence **need not** meet the first-time home buyers regulation. (See Attachment)

OWNER OCCUPANCY

Home Buyer (s) **MUST** occupy the property as their primary residence as long as the bond loan remains on the property.

RECAPTURE PROVISION

If you receive an ADFA mortgage, you will be receiving a mortgage loan from the proceeds of tax exempt bonds. This gives you the benefit of a lower interest rate than is usually charged for a mortgage loan. If you sell or otherwise dispose of your home within **nine** years of closing, you may have to rebate to the government a portion of the gain on the sale of the home. This recapture only applies if you make a gain on the sale of your home and if your income increases above specific levels. For many buyers there will be no recapture payment or it will be minimal. In no case will the amount exceed 50% of the net gain as defined in the 1986 Tax Code, or 6.25% of the original mortgage on the home, whichever is less.

Effective with bond loans reserved on or after October 1, 2008 Arkansas Development Finance Authority will reimburse borrowers for any recapture tax that is required to be paid. To file a claim refer to Exhibit 7-P of the “HomeToOwn” Program Guide.

SCHEDULE III

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The Maximum Household Income Limits are regulated by the Treasury Department. The following **MUST** be considered when calculating borrower's income. **ALL SOURCES OF INCOME MUST BE CONSIDERED.**

Household Income is defined as "the current family income of a potential Mortgagor, and shall in any event include the current gross income of **ALL** persons who reside or intend to reside with such Mortgagor in the same dwelling unit (other than persons under 18 years of age who are not primarily liable or secondarily liable on the Mortgage Note), but exclusive of the income of any CO-SIGNER of a Mortgage Note who does not reside or intend to reside therein, as evidenced by documentation satisfactory to the Authority." Current gross income is annualized current gross monthly income (gross monthly income multiplied by 12).

GROSS MONTHLY INCOME IS THE SUM OF MONTHLY GROSS PAY AND ANY ADDITIONAL INCOME INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

Alimony
Bonuses
Business Activities Income
Child Support
Commissions
Dividends
Income from Assets
Interest
Investments Income
Mileage
Military Allowance
Net Rental Income
Overtime
Part-Time Employment
Pensions
Public Assistance
Royalties
Shift Differential
Sick Pay
Social Security Benefits
Trust Income
Unemployment Compensation
VA Compensation



AMERICAN DREAM DOWNPAYMENT INITIATIVE (ADDI)/HOME PROGRAM

American Dream Downpayment Initiative Program (ADDI) will help first-time homebuyers by providing assistance for downpayment and closing costs. New homebuyers may apply for the HomeToOwn first mortgage loan and ADDI forgivable loan at any ADFA approved participating lender. However it is not required to use the HomeToOwn first mortgage to use the ADDI funds for downpayment assistance.

ADDI funds will be provided in the form of a forgivable loan at 6% of the Sales Price or up to \$10,000. There is five-year affordability period attached to the loan that is forgiven in equal, annual installments, contingent upon the homebuyer satisfying all HOME program requirements. If the property is sold during the affordability period, ADFA will recapture any unforgiven ADDI funds.

To be eligible for the ADDI program borrower(s) must be a first-time homebuyer in all counties, annual gross household income cannot exceed 80% of the area median county income limits based on household size (see ADDI-Exhibit A), and attend an ADFA approved homebuyer counseling class. No cash is given back to the borrower(s) at closing. A first-time homebuyer is defined as a person or persons, within the household, 18 years and older, who have not owned a home in the past three years. The latest year tax return with W-2's attached of all persons 18 years and older in the home are required as part of the verification of first-time homebuyer status. Verification of rental may also be required. The lender will verify all employment and income received using current pay stubs with year-to-date totals, written proof of all benefits and income received, i.e. social security, child support, unemployment, etc.

